

REMARKS

Claims 1-6 and 8-30 are pending. Claim 7 has been canceled. Claims 2, 3 and 15-17 have been withdrawn from consideration. The Applicants thank the Examiner for indicating that claims 4, 5, 11, 12, 19 and 20 are potentially allowable. Claims 10, 27 and 29 are currently amended. Support for the amendments is found, for example, on p. 6, lines 1-2, and in FIG. 1 and associated description. Reconsideration of the application is respectfully requested.

Drawing Objections

The Examiner objected to the drawings because he contends that “the second respiratory component having at least two spaced apart clip openings” and “the clip openings of the first respiratory component comprise four generally parallel slots, and wherein the intermediate portion of the mounting clip is received in each of these slots” are not shown. The Applicants respectfully disagree and contend that at least FIG. 2 shows an example of “the second respiratory component” (12) “having at least two spaced apart clip openings” (34, 36) and of the first respiratory component 20 having the mounting slots 32. These features are also described in the specification on page 6, lines 9-11. Additionally, at least FIG. 9 shows “the clip openings of the first respiratory component” (20) “comprises four generally parallel slots,” (32b, 32c, 32d, 32e) “and wherein the intermediate portion” (26) “of the mounting clip is received in each of these slots.” These features are also described in the specification on page 9, lines 9-13.

Thus, the Applicant respectfully submits that the drawings show every feature of the invention specified in the claims and are not objectionable under 37 CFR 1.83(a).

§ 102 Rejections

Claims 1, 6-10, 13, 14, 18 and 21-26 are rejected under 35 USC § 102(e) as being anticipated by US 6,907,882 to Ging et al.

The Applicants respectfully contend that Ging does not teach or suggest all of the elements of claims 1, 6-10, 13, 14, 18 and 21-26. Independent claim 1, requires both a “first respiratory component” and “a second respiratory component.” The Examiner points to Fig. 5c, element 34, of Ging as an example of both first and second respiratory components; however, Fig. 5c only illustrates a single component, receiver assembly 34, that is encompassed in the frame 20. Notably,

only one reference number 34 is used to designate this single part. This is consistent with other drawings, where only one such component 34 is used (see, e.g., FIGs. 1 and 10a). Additionally, claim 1 recites "a mounting clip...for releasably securing the first and second respiratory component together." Because Ging does not teach or suggest two separate respiratory components, it does not teach releasably securing these components.

Furthermore, claim 1 requires that "the intermediate portion of the mounting clip is received within both of the clip openings of the first respiratory component and the free ends of the mounting clip are received in the clip openings of the second respiratory component." If, as the Examiner asserts, the intermediate portion is the area of the element 82 that is located between the elements 116, which the Examiner refers to as "free ends," this "intermediate portion" is clearly not received within openings of a first respiratory component at the same time as its "free ends" are received within the openings of a second, different, respiratory component, such as to releasably connect the two respiratory components. Therefore, Applicants respectfully contend that claim 1 is patentable over Ging.

Claims 6 to 9 each add additional features to independent claim 1, and are patentable for at least the same, and additional, reasons.

For example, regarding claim 6, the Examiner contends that FIGs. 5a and 5c of Ging show a belt as recited in claim 6 of the present application. However, FIGs. 5a and 5c of Ging illustrate different views of a frame 20 for a nasal mask assembly (Col. 8, lines 7-15, Col. 10, lines 34-43) which is not a belt.

Regarding claim 8, the Examiner contends that FIGs. 5a and 5c show biased detent tabs as recited in claim 8 of the present application. FIGs. 5a and 5c show only a frame 20 with locking clip receiver assemblies 34, but do not show biased detent tabs (Col. 10, lines 34-37).

Regarding independent claim 10, the Examiner contends that each of the elements are included in Ging. The applicants respectfully disagree for at least the reasons set forth above in connection with claim 1. In particular, Ging does not teach a respiratory component, a separate support member, and a mounting clip, as claimed. In addition, Ging does not teach a support member having at least two slots. In fact, the Examiner has not specified which particular element in Ging is considered a "support member." Furthermore, independent claim 10 recites "a user-wearable respiratory component support member configured to be disposed around a user's

waist". In contrast, Ging is directed toward a "Respiratory Mask Assembly with Headgear Assembly" (see title, description and drawings). Nowhere does it teach or suggest a system having a support member disposed about a user's waist.

Claims 13, 14, 18 and 21-26 each add additional features to independent claim 1, and are patentable for at least the same, and additional, reasons.

For example, regarding claim 13, the Examiner points only to FIGs. 5a, 5c, 9a, 9b, and 10a of Ging. Claim 13 of the present application recites "wherein the orientations of the connector receptacles from one respiratory component to another are different" and "wherein the alignments of the free ends from one mounting clip to another are different." However, the alignments shown in FIGs. 5a, 5c, 9a, 9b, and 10a of Ging have the same orientation: horizontal in relation to the user (see 34 and 116).

Regarding claim 14, the free ends of the component shown in FIGs. 9a, 9b, and 10a extend in the same direction (downward according to the pictured orientation), not in "generally opposite directions" as recited by claim 14 of the present application.

Regarding claim 18, the component shown in FIGs. 5a and 5c of Ging is a frame 20 (Col. 10, lines 34-37), not a "belt" as recited by claim 18 of the present application.

Regarding claim 22, the clip receiver assembly pictured in FIG. 5c extends into the frame 20 and appears to be generally horizontally aligned, not "generally vertically aligned" as recited by claim 22 of the present application.

Based on at least the reasons set forth above, the Applicants respectfully contend that the rejection of claims 1, 6-10, 13, 14, 18 and 21-26 under 35 USC § 102(e) as being anticipated by Ging et al. has been overcome and should be withdrawn.

§ 103 Rejections

Claims 27-30 are rejected under 35 USC § 103(a) as being unpatentable over US6,907,882 to Ging et al.

The Examiner contends that Ging substantially discloses method steps as recited by independent claims 27 and 29. The Applicants respectfully disagree. Claim 27 of the present disclosure involves providing three components that are initially separated: a respiratory component, a support member, and a mounting clip. FIGs. 5a, 5c, 9a, 9b, and 10a show at most

two discrete components: a frame 20 and a locking clip 82. Additionally, claim 27 recites a support member comprising at least two slots. Ging does not show at least two slots in a support member and the Examiner does not provide a basis for a belief that these slots would be obvious. Further, claim 27 of the present application recites "inserting the intermediate portion of the mounting clip into the slots on the support member, with the free ends of the mounting clip projecting from one side of the support member; and inserting the free ends of the mounting clip into the connector receptacles on the respiratory component." The Examiner suggests that frame 20 is the equivalent to the respiratory component and locking clip 82 is equivalent to the mounting clip of claim 27. However, in Ging, both the free ends and the intermediate portion of locking clip 82 are inserted into a single component - frame 20 (FIG. 10a), unlike claim 27 where the mounting clip of the present application is inserted into different components - the support member and the respiratory component.

Claim 29 of the present application also involves three components: a respiratory component, a support member, and a mounting clip. FIGs. 5a, 5c, 9a, 9b, and 10a show at most two discrete components: a frame 20 and a locking clip 82. Additionally, claim 29 recites a support member comprising at least two slots. Ging does not show at least two slots in a support member and the Examiner does not provide a basis for a belief that these slots would be obvious. Additionally, the steps of claim 29 include attaching the mounting clip to both the respiratory component and the support member. The Examiner suggests that frame 20 is the equivalent to the respiratory component and locking clip 82 is equivalent to the mounting clip of claim 29. However, in Ging, both the free ends and the intermediate portion of locking clip 82 are inserted into a single component - frame 20 (FIG. 10a), unlike claim 29 where the mounting clip of the present application connected to different components - the support member and the respiratory component.

Furthermore, claim 29 of the present application recites "providing a support member configured to be disposed around a user's waist." The headgear assembly of Ging is not designed to be secured around a waist of a user. Instead, it is intended to be attached to the head of a user, as shown, for example, in FIG. 1.

The Applicants contend that, for at least the reasons set forth above, claims 27 and 29 are patentable over Ging. Claim 28 adds additional features to claim 27, and claim 30 adds

additional features to claim 29. Claims 27 and 29 are patentable for at least the reasons given above. Thus, claims 28 and 30 are likewise patentable for at least the reasons given above.

The rejection of claims 27-30 under 35 USC § 103(a) as being unpatentable over Ging et al. has been overcome and should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance. Examination and reconsideration of the application as amended is respectfully requested.

Respectfully submitted,

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